

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Seventy-Second Legislature

OF THE

STATE OF MAINE.

1905.

HOUSE.

Wednesday, February 22, 1905.

Prayer by Rev. Mr. Livingston of Augusta.

Journal of yesterday read and approved.

Papers from the Senate disposed of in concurrence.

Senate Bills on First Reading.

An act to extend the charter of the Pushaw Lake Railroad.

An act additional to and amendatory of chapter 48 of the private and special laws of 1887, entitled "An act to incorporate the Winterport Ferry Company."

Resolve in favor of marking grave of the late Governor Hunton.

An act additional to chapter 144 of the Revised Statutes, relating to insane hospitals.

An act to amend section 18 of chapter 144 of the Revised Statutes relating to support of persons committed to insane hospitals.

An act to authorize Walter W. Irwin, his associates and assigns to raise the water of Third pond in the town of Bluehill.

The following petitions, bills, etc., were presented and referred:

Judiciary.

By Mr. Foss of Scarborough: Remonstrance of G. W. Merrill and 21 others against the incorporation of Prout's Neck as a village corporation; remonstrance of W. H. Graffam and 9 others against same.

By Mr. Shaw of Clinton: Bill, an act to amend section 112 of chapter 6 of the Revised Statutes in relation to political caucuses.

Legal Affairs.

By Mr. Foss of Scarborough: Petition of Alfred S. Dunning and 14 others of Harpswell for the repeal of section 25 of chapter 9 of the New Revision of the Statutes relating to manufacturing, mining and smelting corporations.

By Mr. Verrill of Westbrook: Petition of B. S. Hawkes and 62 others of Westbrook praying for the passage of the resolution in relating to the taxation of the wild lands in unincorporat-

ed townships; petition of F. M. Ray and 10 others of Westbrook for same.

By Mr. Page of Hampden: Petition of J. A. Holmes and 39 others of Winterport, for a higher rate of taxation on wild lands.

By Mr. Morton of Jackson: Petition of N. A. Cilley and 30 others of Jackson in favor of an act to amend the constitution of the State relating to the taxation of lands in unincorporated townships and of the wild lands, so called, in plantations.

By Mr. Burkett of Union: Petition of E. Hawes and 20 others of Union for same.

By Mr. Jordan of Yarmouth: Petition of J. D. Cleaves and 35 others for same.

By Mr. Fulton of Blaine: Petition of F. W. Shaw and 27 others of Mars Hill and Blaine for same.

By Mr. Littlefield of Rockland: Petition of John E. Hutchins and 10 others for same.

By Mr. Fulton of Blaine: Petition of R. J. Kimball and 8 others for same; petition of G. S. Tompkins and 15 others of Presque Isle for same.

By Mr. Irving of Presque Isle: Petition of H. L. Griffin and 20 others of Caribou for same.

By Mr. Jones of Searsmont: Petition of E. C. L. Worthing and 23 others for same.

By Mr. Blanchard of Blanchard: Petition of W. W. Sawtelle and 29 others for same.

By Mr. Lougee of New Limerick: Petition of Frank Monahan and others for same.

By Mr. Leonard of Milo: Petition of W. R. Howard of East Dover and 17 others for same.

By Mr. Fulton of Blaine: Petition of F. W. Shaw and 38 others of Mars Hill and Blaine for same; petition of J. Frank Taylor and 17 others of Westfield for same.

By Mr. Sparrow of Freedom: Petition of J. H. Vose and 37 others for same.

By Mr. Tupper of Bangor: Bill, an act to amend an act entitled "An act in relation to political caucuses in the city of Bangor."

Federal Relations.

By Mr. Burkett of Union: Petition of

C. M. Lucas and 18 others of Union in favor of the bill providing for parcel post and postal currency. (This petition was subsequently withdrawn by unanimous consent on motion of Mr. Burkett.)

By Mr. Page of Hampden: Petition of A. W. Hardy and 26 others of Winterport for same. (This petition was subsequently withdrawn by unanimous consent on motion of Mr. Page.)

Railroads and Expresses.

By Mr. Allan of Dennysville: Petition of W. O. Thompson and 22 others of Marion in favor of two-cent mileage on the Washington County Railroad; petition of Fred L. Gardner and 18 others of Dennysville for same.

By Mr. Hanson of Machiasport: Petition of George A. Walsh and 37 others of Machiasport for same.

Agriculture.

By Mr. Page of Hampden: Petition of R. E. Page and 17 others of Jackson for act establishing bounty on crows; petition of Maurice L. Wing and 12 others of Hampden for same; petition of Frank W. Elliott and 9 others of Winterport for same.

By Mr. Burkett of Union: Petition of C. F. Burgess and 23 others of Union in favor of the grout law, so called. (Tabled on motion of Mr. Hale of Portland.)

By Mr. Irving of Presque Isle: Petition of H. L. Griffin and 20 others to prevent any change in the grout law, in relation to oleo or artificial butter. (Tabled on motion of Mr. Hale of Portland.)

By Mr. Morton of Jackson: Petition of R. E. Page and 30 others of Jackson in favor of the grout law, so called. (Tabled on motion of Mr. Hale of Portland.)

Inland Fisheries and Game.

By Mr. Jillson of Otisfield: Petition of J. P. Scribner and 74 others of Harrison, Waterford and Otisfield in Cumberland county, for the passage of an act to amend section five of chapter 407 of the private and special laws of 1903, prohibiting the throwing of sawdust and other mill waste into certain streams.

By Mr. Verrill of Westbrook: Re-

solve to authorize the land agent to sell and convey certain land owned by the State in Caribou, now used as a fish hatchery.

Shore Fisheries.

By Mr. Foss of Scarborough: Remonstrance of A. H. Skillings and 33 others against any change in the law which now prohibits the taking of clams on the shores or flats in the town of Scarborough; remonstrance of John H. Leavitt and 33 others against same.

By Mr. Littlefield of Rockland: Bill, an act authorizing the codification of the sea and shore fishery laws.

Taxation.

By Mr. Merrill of Skowhegan: Petition of C. D. Eaton and nine others of Skowhegan in favor of the bill for the increase of tax on railroads.

By Mr. Purinton of Bowdoin: Petition of A. D. Graffam and 109 others of Phillips for Grange bill to equalize school tax; petition of M. G. Keay and 12 others of Bowdoin for same.

By Mr. Cushman of Woodstock: Petition of W. A. Titcomb and 51 others of Farmington for same.

By Mr. Hutchins of Penobscot: Petition of Curtis Durgin and 12 others of Penobscot for same; petition of C. A. Rockwell and 34 others of Columbia for same; petition of Sidney R. Fuller and 14 others of Sullivan for same.

By Mr. Foss of Scarborough: Petition of Alfred S. Dunning and 14 others of Harpswell for same.

By Mr. Cushman of Woodstock: Petition of G. W. Brown and 13 others of Berry Mills for same.

By Mr. Fulton of Blaine: Petition of N. P. Bearce and 35 others for same.

By Mr. Tracy of Winter Harbor: Petition of Frank S. Libby and 26 others of Gouldsboro for same.

By Mr. Sparrow of Freedom: Petition of W. S. Gray and 56 others of Troy for same.

By Mr. Morton of Jackson: Petition of R. E. Page and 32 others of Jackson for same.

Salaries.

By Mr. Fulton of Blaine: Petition of N. B. Bearce and 37 others praying for the abolition of the fee system.

By Mr. Foss of Scarborough: Petition of Alfred S. Dunning and 14 others of Harpswell for same.

By Mr. Morton of Jackson: Petition of R. E. Page and 29 others of Jackson for same.

Reports of Committees.

Mr. Reed from the committee on legal affairs on bill, an act to regulate and define the practice of optometry, reported ought not to pass.

Mr. Littlefield from the committee on judiciary, to which was referred the thirteenth report of the State Board of Health, reported legislation unnecessary.

Mr. Littlefield from same committee, on report of the commissioners on uniformity of laws for 1902, reported legislation unnecessary.

Mr. Gray from the committee on legal affairs reported ought not to pass on bill, an act to amend chapter 11 of the Revised Statutes relating to the recording of deeds.

Mr. Bliss from the committee on pensions reported ought not to pass on bill, an act to amend section four of chapter 145 of the Revised Statutes relating to the State pension law.

Mr. Kimball from the committee on railroads and expresses, on bill, an act in relation to fares upon Washington County Railway, reported ought not to pass, legislation being inexpedient at the present time.

Mr. O'BRIEN of Lewiston: Mr. Speaker, I move that that report be laid on the table pending acceptance.

Mr. KIMBALL of Rockland. I would inquire of the gentleman if he wishes to table the bill at the request of Mr. Stevens, a member of the committee.

Mr. O'BRIEN: I cannot say that exactly, sir.

Mr. KIMBALL: The reason I ask the question is because when the first report of the committee was made there was a majority and minority report, Mr. Johnson of Calais putting in a minority report solely for the purpose of protecting his rights, and it was understood that the matter should be laid on the table this morning until Friday morning. Since that time Mr. Johnson has withdrawn his minority report which makes it a unanimous report of

the committee, and that matter was left in the hands of Mr. Stevens; and Mr. Stevens, I see, is absent, and I did not know but what you might be acting for him in the matter.

Mr. O'BRIEN: I moved that it lie on the table in order that I might be able to better inform myself as to its conditions.

The question being to lay the report on the table pending acceptance,

The motion was agreed to.

Mr. KIMBALL: I would ask the gentleman from Lewiston to assign a time to take it from the table.

Mr. O'BRIEN: I would say Friday morning, Mr. Speaker.

The SPEAKER: The chair understands that it is assigned for Friday morning?

Mr. O'BRIEN: Yes, sir.

Mr. Thompson from the committee on interior waters on bill, an act to incorporate the Penobscot River Power Company reported that the same be referred to the next Legislature.

Mr. Holmes from the committee on legal affairs on bill, an act to regulate the practitioners of optometry in the State of Maine, reported that the same be referred to the next Legislature.

Mr. Gray from same committee on petition of E. S. Dixon and 13 others praying for the enactment of bill presented by the Grange legislative committee, reported that the same be referred to the committee on taxation.

Mr. Baxter from the committee on legal affairs on petition of A. S. Lord and 14 others in favor of legislation to prohibit sales of merchandise in bulk in fraud of creditors, reported the same be referred to the committee on the judiciary.

Mr. Holmes from the committee on legal affairs on bill, an act to establish the Caribou Municipal Court, reported that the same be referred to the Aroostook county delegation.

Mr. Newcomb from the committee on judiciary reported ought to pass on bill, an act to provide for recording of condemnation proceedings.

Mr. Johnson from the same committee reported ought to pass on bill, an act to incorporate the Messalonskee Electric Company.

Mr. Merrill from the same committee reported in a new draft bill, an act to enlarge the corporate rights of the Piscataquis Woolen Company to do electric lighting, and that it ought to pass.

Mr. Merrill from same committee reported ought to pass on bill, an act to extend the charter of the Caratunk Power Company.

Mr. Weatherbee from the committee on legal affairs reported ought to pass on bill, an act to amend section 25 of chapter 114 of the Revised Statutes relating to the relief of poor debtors.

Mr. Oakes from the same committee reported ought to pass on bill, an act additional to section 12 of chapter 107 of the Revised Statutes relating to easements.

Mr. Reed from the same committee reported ought to pass on bill, an act to incorporate the Farmington Society for the Prevention of Cruelty to Animals.

Mr. Holmes from the same committee reported ought to pass on bill, an act to organize Portage Lake Plantation.

Mr. Holmes from the same committee reported ought to pass on bill, an act to legalize the doings of the town of Masardis.

Mr. Gray from the same committee reported ought to pass on bill, an act to incorporate the president and trustees of the Farmington Home for Aged People.

Mr. Reed from same committee reported ought to pass on bill, an act to amend chapter 242 of the private and special laws of 1895 entitled "An act to incorporate the city of South Portland."

Mr. Reed from same committee reported in a new draft bill, an act authorizing and ratifying the construction and maintenance of a wharf from Macworth or MacKay's Island, so called, into the tide waters of Casco Bay in the town of Falmouth, Maine.

Mr. Baxter from same committee reported in a new draft bill, an act to abolish the common council and increase the membership of the board of aldermen of the city of Portland, and that it ought to pass.

Mr. Purinton from the committee on agriculture reported ought to pass on

bill, an act regulating the duties of the commissioner of agriculture relating to the manufacture and sale of dairy products and their imitations.

Mr. Purinton from same committee reported ought to pass on bill, an act to regulate the sale of imitation dairy products.

Mr. Purinton from same committee reported in a new draft bill, an act to regulate the sale of milk and cream, and that it ought to pass.

Mr. Sargent from the committee on interior waters reported ought to pass on bill, an act to authorize the Sebec Lake Lumber Company, its successors and assigns, to maintain a wharf and boom in Sebec Lake.

Mr. Davis from the same committee reported ought to pass on bill, an act granting Beloni Hebert and sons the right to erect and maintain piers and booms on the St. John river in the town of Madawaska.

Mr. Percy from same committee reported ought to pass on bill, an act to authorize Joseph Long to build and maintain a toll bridge for foot passengers across the St. John river at or near Fort Kent and to build and maintain piers and abutments for supporting said bridge.

Mr. Sargent from same committee reported ought to pass on bill, an act to amend section one of chapter 274 of the private and special laws of 1901.

Mr. Thompson from same committee reported in a new draft bill, an act relating to the prevention and control and extinguishment of forest fires in plantations and unorganized townships, and that it ought to pass.

Mr. Bliss from the committee on pensions reported in a new draft resolve in favor of Harry B. Conway of Calais, and that it ought to pass.

Mr. Sparrow from the same committee reported in a new draft resolve in favor of Miss Fannie L. Jenkins of Newport, Maine, and that it ought to pass.

The reports were accepted and the bills and resolves ordered printed under joint rule.

Mr. Sewall from the committee on salaries to which was referred the report of the special committee on salaries and fees, reported accompany-

ing bill, an act relating to bills of expenses of State and County officers.

Mr. SEWALL of Bath: Mr. Speaker, this is a very important bill affecting the salaries of State officers, and I think it would be advantageous to have it printed before acceptance of the report. As chairman of the committee on the part of the House I would like very much to have this bill thoroughly examined before the report is accepted. I move that this report lie on the table pending acceptance and that the accompanying bill be printed.

The motion was agreed to.

Mr. Sewall from the committee on salaries, to which was referred the report of the special committee on salaries and fees, reported an accompanying bill, an act relating to the compensation of trustees and visiting committees and the board of cattle commissioners. (Report tabled pending acceptance and bill ordered printed on motion of Mr. Sewall.)

Mr. Sewall from the same committee to which was referred the report of the special committee on salaries and fees, reported an accompanying bill, an act to amend section eleven of chapter 116 of the Revised Statutes relating to the compensation of the Executive Council. (Report tabled pending acceptance, and bill ordered printed on motion of Mr. Sewall.)

Mr. Sewall from same committee, to which was referred the report of the special committee on salaries and fees, reported an accompanying bill, an act to enlarge the duties and fix the compensation of the attorney general. (Report tabled pending acceptance and bill ordered printed on motion of Mr. Sewall.)

Mr. Sewall from same committee, to which was referred the report of the special committee on salaries and fees, reported an accompanying bill, an act relating to the compensation of certain State officers. (Report tabled pending acceptance and bill ordered printed on motion of Mr. Sewall.)

Mr. Sewall from same committee, to which was referred the report of the special committee on salaries and fees, reported an accompanying bill, an act relating to the compensation of examining boards. (Report tabled

pending acceptance and bill ordered printed on motion of Mr. Sewall.)

Mr. Sewall from same committee, to which was referred the report of the special committee on salaries and fees, reported an accompanying bill, an act relating to the compensation of the commissioners of inland fisheries and game. (Report tabled pending acceptance and bill ordered printed on motion of Mr. Sewall.)

On motion of Mr. Higgins of Limerick, the report of the committee on railroads and expresses on bill, an act to provide for the better protection of motormen and conductors on electric cars, was taken from the table.

The report was accepted and the bill was read twice and assigned for tomorrow morning for its third reading.

First Reading of Printed Bills.

An act to incorporate the town of Westfield in the county of Aroostook.

An act to set off part of plantation No. 7 and annex it to the town of Gouldsboro.

Resolve in favor of the Maine Industrial School for Girls.

Resolve providing for the expenses of the Maine Industrial School for Girls.

Resolve in aid of repairing the bridge across Narragausus river in the town of Millbridge.

Passed to be Engrossed.

Resolve in favor of the Penobscot tribe of Indians for the years 1905 and 1906.

An act to authorize the city of Bangor to issue new bonds to retire maturing bonds.

Passed to be Enacted.

An act to extend the charter of the Phillips Trust Company.

An act in relation to the original plans of towns in Kennebec county.

An act to amend section eleven of chapter 32, of the Revised Statutes, relating to close time on beaver.

An act to preserve the purity of the source of water supply for the villages of Livermore Falls and Chisholm, and to protect the public health.

An act repealing chapter 443 of the private and special laws of the year

1901, relating to the annual town meeting of Boothbay Harbor.

Finally Passed.

Resolve in favor of aid in building a highway bridge across the Sebasticook river in the town of Benton.

Resolve in favor of the Deaconess' Home Association of Bangor.

Resolve in favor of roads in the Indian Township, Washington county.

Resolve in favor of the Madawaska Training School.

Resolve in favor of Fred. W. Lee of Augusta, Maine.

Resolve in favor of the town of Pittston.

Resolve in favor of Bates College.

Orders of the Day.

Special Assignment: Resolve in favor of Jackman Plantation.

The resolve was passed to be engrossed.

Special Assignment: Resolve in favor of Moose River Plantation.

The resolve was read a second time and passed to be engrossed.

On motion of Mr. Higgins of Limerick, petition of R. E. Gould and 37 others for the repeal of Chapter 9, Section 25, of the Revised Statutes of 1903, was taken from the table.

Mr. Philbrook of Lisbon offered an amendment by adding the words, "relative to the method and place for taxing property of manufacturing, mining and smelting corporations."

The amendment was adopted, and on motion of Mr. Philbrook the petition was referred to the committee on taxation.

On motion of Mr. Higgins of Limerick, bill to extend the charter of the Merchants Trust Company was taken from the table.

Mr. Oakes of Auburn, offered amendment "A," by inserting after the word "company," in the second line of said Act, the words, "located in Auburn, Androscoggin County, Maine."

The amendment was adopted, the bill was read a second time as amended and assigned for tomorrow morning for its third hearing.

On motion of Mr. Littlefield of Rockland, petition of A. L. Shaw and 70 others of Damariscotta, relating to taxes on wild lands and amendment to Section eight of Article nine of the Constitution, and petition of E. W. Ferguson and 30 others of Bristol, relating to same, were taken from the table.

On motion of Mr. Nash of Damariscotta, these petitions were referred to the committee on legal affairs.

On motion of Mr. Johnson of Hallowell, bill for change in the charter of the city of Hallowell was taken from the table, and on further motion by Mr. Johnson the bill was withdrawn by unanimous consent.

Mr. Thompson of Orono, stated that he had received from Henry Lord, President of the University of Maine, a detailed statement of salaries paid at the University of Maine, in response to House order of February 16th, and moved that the same be tabled for printing.

The motion was agreed to.

On motion of Mr. Powers of Houlton, bill in relation to lands reserved for public uses in plantation of Kingsbury, was taken from the table.

The bill was then read twice and assigned for tomorrow morning for its third reading.

On motion of Mr. Putnam of Danforth, the rules were suspended and that gentleman introduced a resolve making appropriation for repairs of bridge across St. Croix river at Baring, and on further motion by Mr. Putnam it was referred to the committee on ways and bridges.

On motion of Mr. Sewall of Bath, Adjourned.